

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAULA KRITZMAN,

Plaintiff,

-against-

06 Civ. 0233 (LAK)

AMERICAN EXPRESS RETIREMENT PLAN, et al.,

Defendants.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

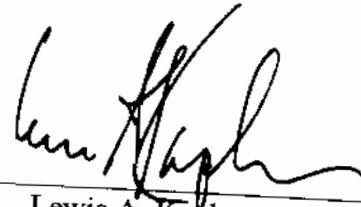
This purported class action challenges the American Express Retirement Plan as age discriminatory and otherwise in violation of ERISA. Defendants move to dismiss the complaint. Plaintiff has not responded to the motion although the time within which to do so has expired.

The Court has reviewed defendants' papers and concluded that the motion is well taken. It is granted, and the case dismissed, substantially for the reasons set forth in defendants' memorandum of law.

SO ORDERED.

Dated: April 6, 2006

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Lewis A. Kaplan
United States District Judge